

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 66 and 67 are now canceled. Dependent claims 70-74 depend respectively from the independent claims to emphasize that data of all of the logical channels are multiplexed to said single transport channel.

The previous rejections under 35 USC 102(e) based on Cheng et. al (US 2004/0228313) has been withdrawn. However, the Office Action now asserts a new prior art reference, Beckmann et al. (US 2004/0028078 A1) in combination with Cheng et al. Thus, claims 42, 43, 45-47, 49, 53, 54, 56-58, 60, and 66-69 stand rejected, under 35 USC §103(a), as being unpatentable over Beckmann et al. (US 2004/0028078) in view of Cheng et al. (US 2004/0228313). Claims 51 and 62 stand rejected, under 35 USC §103(a), as being unpatentable over Beckmann in view of Cheng and 3GPP TR 25.896 V6.0.0 (2004-03). The Applicants respectfully traverse these rejections as follows.

Claim 42 defines a data transmission method in which, *inter alia*, a mobile terminal: (1) receives radio bearer mapping information indicating one of a plurality of scheduling modes of a logical channel, (2) maps a radio bearer to the logical channel taking into account the received radio bearer mapping information, and (3) assigns the indicated scheduling mode to the logical channel.

The Office Action acknowledges that Beckmann fails to teach the instant claimed subject matter of receiving radio bearer mapping information indicating one of a plurality of scheduling modes of a logical channel to which a respective radio bearer is to be mapped and hence such

scheduling mode information is not considered in the mapping of the radio bearer to logical channels at the mobile terminal. Thus, Beckmann lacks the instant claimed features of "mapping a radio bearer to the logical channel taking into account the received radio bearer mapping information, and assigning the indicated scheduling mode to the logical channel."

The Applicants further note that Beckmann fails to teach or suggest that the concerned logical channels of the radio bearers are transmitted via a single transport channel, and thus does not render obvious the claimed feature in which " data of all of the logical channels are multiplexed to said single transport channel" (see claims 70-74). In this respect, the Applicants submit that this subject matter is not implicit to paragraph [0047] of Beckmann et al. where it is stated that a number of data streams are transmitted via the same transport channel. The Applicants submit that this should only express the general possibility that plural logical channels can be mapped to one transport channel, but this passage does not imply that all logical channels are mapped to a single transport channel as recited by the independent claims.

The office action proposes that Cheng discloses the subject matter of reception of radio bearer mapping information indicating one of a plurality of scheduling modes of a logical channel to which a respective radio bearer is to be mapped (see Office Action, paragraph bridging pages 4 and 5). The Applicants respectfully disagree.

In particular, in the Amendment filed February 17, 2009, page 13 et seq., the Applicants noted that that Cheng et al. fails to disclose the contents of the radio bearer mapping information as recited in the present independent claims. Accordingly, this deficiency also relates to the radio bearer mapping information indicating a scheduling mode out of a plurality of scheduling modes of the logical channel to which the respective radio bearer is to be mapped.

As indicated in the Amendment filed February 17, 2009, there appears a significant difference between indicating a scheduling mode with a radio bearer mapping information as part of signaling and autonomously selecting a transmission mode for uplink transmission based on a transmission parameter at the terminal as proposed by Cheng et al. (see paragraphs [0029] and [0051]).

Similarly, as indicated in the Amendment filed February 17, 2009, there is also no teaching in Cheng et al. as to the mapping of radio bearers to logical channels and further to transport channels wherein the mapping of radio bearers to logical channel is considering the received radio bearer mapping information and thus the indication of the scheduling mode.

Moreover, the Applicants note that, while Cheng may disclose selecting between an autonomous mode or a scheduled mode of transmission based on a received parameter (see Cheng paragraph [0029], lines 1-2 and 7-9), this merely constitutes selecting whether or not to use a scheduled transmission mode. This is clearly not the same as selecting for use a particular one of multiple scheduled transmission modes. Thus, it is submitted that Cheng does not disclose the Applicants' claimed subject matter of receiving information indicating which one of a plurality of scheduling modes is to be assigned to a logical channel. Beckmann is not cited in the Office Action for supplementing the teachings of Cheng in this regard.

Accordingly, the Applicants submit that even if the teachings of Beckmann and Cheng were combined in the manner asserted in the office action, the result still would lack the above-noted features of claim 42. Thus, it is submitted that the teachings of Beckmann and Cheng, considered individually or in combination, do not render obvious the subject matter defined by claim 42. Independent claims 53, 63, 68, and 69 similarly recite the above-mentioned subject

matter distinguishing method claim 42 from the applied references, although claims 53 and 69 do so with respect to apparatuses and claim 63 does so with respect to a computer readable medium. Therefore, the rejections applied to claims 51 and 62 are obviated and allowance of claims 42, 53, 63, 68, and 69 and all claims dependent therefrom is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

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JEL/DWW/att

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